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| APPLICATION NO. | FILING DATE | FIRST NAMED INVENTOR | ATTORNEY DOCKET NO. | CONFIRMATION NO. |
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| 09/451,442 | 11/30/1999 | KENJI MIKAMI | 35.C14160 | 9073 |
| 5514 | 7590 | 01/17/2006 | EXAMINER | |
| FITZPATRICK CELLA HARPER & SCINTO | | | PARK, CHAN S | |
| 30 ROCKEFELLER PLAZA | | | ART UNIT | |
| NEW YORK, NY 10112 | | | PAPER NUMBER | |

2622

DATE MAILED: 01/17/2006

Please find below and/or attached an Office communication concerning this application or proceeding.

| | | | |
|------------------------------|-------------------------------|-------------------------------|--|
| Office Action Summary | Application No. 09/451,442 | Applicant(s) MIKAMI ET AL. | |
| | Examiner CHAN S. PARK | Art Unit 2622 | |

-- The MAILING DATE of this communication appears on the cover sheet with the correspondence address --

Period for Reply

A SHORTENED STATUTORY PERIOD FOR REPLY IS SET TO EXPIRE 3 MONTH(S) OR THIRTY (30) DAYS, WHICHEVER IS LONGER, FROM THE MAILING DATE OF THIS COMMUNICATION.

- Extensions of time may be available under the provisions of 37 CFR 1.136(a). In no event, however, may a reply be timely filed after SIX (6) MONTHS from the mailing date of this communication.
- If NO period for reply is specified above, the maximum statutory period will apply and will expire SIX (6) MONTHS from the mailing date of this communication.
- Failure to reply within the set or extended period for reply will, by statute, cause the application to become ABANDONED (35 U.S.C. § 133). Any reply received by the Office later than three months after the mailing date of this communication, even if timely filed, may reduce any earned patent term adjustment. See 37 CFR 1.704(b).

Status

- 1) ☒ Responsive to communication(s) filed on 09 November 2005.
- 2a) ☒ This action is **FINAL**. 2b) ☐ This action is non-final.
- 3) ☐ Since this application is in condition for allowance except for formal matters, prosecution as to the merits is closed in accordance with the practice under *Ex parte Quayle*, 1935 C.D. 11, 453 O.G. 213.

Disposition of Claims

- 4) ☒ Claim(s) 1-9, 15 and 18 is/are pending in the application.
- 4a) Of the above claim(s) _____ is/are withdrawn from consideration.
- 5) ☐ Claim(s) _____ is/are allowed.
- 6) ☒ Claim(s) 1-9, 15 and 18 is/are rejected.
- 7) ☐ Claim(s) _____ is/are objected to.
- 8) ☐ Claim(s) _____ are subject to restriction and/or election requirement.

Application Papers

- 9) ☐ The specification is objected to by the Examiner.
- 10) ☐ The drawing(s) filed on _____ is/are: a) ☐ accepted or b) ☐ objected to by the Examiner.
Applicant may not request that any objection to the drawing(s) be held in abeyance. See 37 CFR 1.85(a).
Replacement drawing sheet(s) including the correction is required if the drawing(s) is objected to. See 37 CFR 1.121(d).
- 11) ☐ The oath or declaration is objected to by the Examiner. Note the attached Office Action or form PTO-152.

Priority under 35 U.S.C. § 119

- 12) ☐ Acknowledgment is made of a claim for foreign priority under 35 U.S.C. § 119(a)-(d) or (f).
- a) ☐ All b) ☐ Some * c) ☐ None of:
1. ☐ Certified copies of the priority documents have been received.
2. ☐ Certified copies of the priority documents have been received in Application No. _____.
3. ☐ Copies of the certified copies of the priority documents have been received in this National Stage application from the International Bureau (PCT Rule 17.2(a)).
- * See the attached detailed Office action for a list of the certified copies not received.

Attachment(s)

- | | |
|---|---|
| 1) <input checked="" type="checkbox"/> Notice of References Cited (PTO-892) | 4) <input type="checkbox"/> Interview Summary (PTO-413) Paper No(s)/Mail Date. _____ |
| 2) <input type="checkbox"/> Notice of Draftsperson's Patent Drawing Review (PTO-948) | 5) <input type="checkbox"/> Notice of Informal Patent Application (PTO-152) |
| 3) <input checked="" type="checkbox"/> Information Disclosure Statement(s) (PTO-1449 or PTO/SB/08) Paper No(s)/Mail Date _____ | 6) <input type="checkbox"/> Other: _____ |

DETAILED ACTION

Response to Amendment

1. Applicant's amendment was received on 11/9/05, and has been entered and made of record. Currently, **claims 1-9, 15 and 18** are pending.

Specification

2. The corrected or substitute specification was received on 11/9/05. The specification is acceptable.

Drawings

3. In response to the previous Drawing Objection (Office Action dated 2/7/05), the applicant states that a corrected drawing sheet is in preparation and will be submitted shortly. Examiner respectfully requests the applicant to submit the corrected drawing sheet in response to this Office Action.

Response to Arguments

4. Applicant's arguments with respect to **claims 1-9, 15 and 18** have been considered but are moot in view of the new ground(s) of rejection.

Claim Rejections - 35 USC § 102

The following is a quotation of the appropriate paragraphs of 35 U.S.C. 102 that form the basis for the rejections under this section made in this Office action:

A person shall be entitled to a patent unless –

(b) the invention was patented or described in a printed publication in this or a foreign country or in public use or on sale in this country, more than one year prior to the date of application for patent in the United States.

Claims 1, 15 and 18 are rejected under 35 U.S.C. 102(b) as being clearly anticipated by Ozaki Japanese Patent Laid-Open Number 6-164811. (The copy of the prior art filed on 10/19/05 is used in the rejection.)

4. With respect to claim 1, Ozaki discloses a data processing apparatus (fig. 13 & paragraph 88) comprising:

an instruction input unit, arranged to input a manual instruction by the operator (fig. 5);

a process unit, arranged to execute a predetermined process based on the input by said instruction input unit (fig. 5);

a connection unit, arranged to connect with an external device (fig. 1);

a storage unit, arranged to store message data received from the external device through said connection unit (paragraph 89);

a display unit, arranged to display the message data stored in said storage unit (fig. 6 & paragraph 89);

a discrimination unit, arranged to discriminate whether or not the manual instruction by the operator is not input for a predetermined period of time (paragraphs 90 & 91); and

Art Unit: 2622

a control unit, arranged to control said display unit to start displaying information based on the message data stored in said storage unit, in response to the discriminated result provided by said discrimination unit that no manual instruction by the operator has been input for the predetermined period of time (paragraphs 90 & 91). Also refer to fig. 14.

5. With respect to claim 15, arguments analogous to those presented for claim 1, are applicable.

6. With respect to claim 18, arguments analogous to those presented for claim 1, are applicable.

Claims 1, 15 and 18 are rejected under 35 U.S.C. 102(b) as being anticipated by Davis et al. U.S. Patent No. 5,822,123 (hereinafter Davis).

7. With respect to claim 1, Davis discloses a data processing apparatus comprising:
an instruction input unit, arranged to input a manual instruction by the operator;
a process unit, arranged to execute a predetermined process based on the input by said instruction input unit;

a connection unit, arranged to connect with an external device;

a storage unit, arranged to store message data received from the external device through said connection unit;

a display unit, arranged to display the message data stored in said storage unit;

a discrimination unit, arranged to discriminate whether or not the manual instruction by the operator is not input for a predetermined period of time; and

Art Unit: 2622

a control unit, arranged to control said display unit to start displaying information based on the message data stored in said storage unit, in response to the discriminated result provided by said discrimination unit that no manual instruction by the operator has been input for the predetermined period of time (col. 6, lines 13-26; col. 35, lines 41-47; col. 37, lines 9-12; & col. 38, lines 16-20).

8. With respect to claim 15, arguments analogous to those presented for claim 1, are applicable.

9. With respect to claim 18, arguments analogous to those presented for claim 1, are applicable.

Claim Rejections - 35 USC § 103

The following is a quotation of 35 U.S.C. 103(a) which forms the basis for all obviousness rejections set forth in this Office action:

(a) A patent may not be obtained though the invention is not identically disclosed or described as set forth in section 102 of this title, if the differences between the subject matter sought to be patented and the prior art are such that the subject matter as a whole would have been obvious at the time the invention was made to a person having ordinary skill in the art to which said subject matter pertains. Patentability shall not be negated by the manner in which the invention was made.

Claims 2-4 are rejected under 35 U.S.C. 103(a) as being unpatentable over Ozaki as applied to claim 1 above, and further in view of Inui et al. U.S. Patent No. 6,295,389 (hereinafter Inui).

10. With respect to claim 2, Ozaki discloses the data processing apparatus according to claim 1, but Ozaki does not explicitly disclose the displaying unit for displaying a display image frame different for each process function executed by said process unit, and said control unit for controlling the display based on the message data received

from the external device through said connection unit and stored in said storage unit, according to the display image frame for which the information is intended.

Inui, the same field of endeavor of the data processing apparatus having a display unit, discloses the displaying unit for displaying a display image frame different for each process function executed by said process unit, and a control unit for controlling the display based on the instructions received and messages stored in a storage unit, according to the display image frame for which the information is intended (col. 7, lines 39-53 & figs. 9 & 12).

At the time of the invention, it would have been obvious to one of ordinary skill in the art to incorporate the multiple image display frame of Inui into the data processing apparatus of Ozaki.

The suggestion/motivation for doing so would have been to display received multiple messages simultaneously using the different image frames.

Therefore, it would have been obvious to combine Ozaki with Inui to obtain the invention as specified in claim 2.

11. With respect to claim 3, Inui discloses the data processing apparatus according, wherein said display unit is adapted to display a display image frame of information based on the message data received and stored in said storage unit, and an operation image frame for input by said instruction input unit (col. 7, lines 39-53 & figs. 9 & 12) wherein Ozaki discloses the data processing apparatus including the display unit for displaying message data received from the external device through said connection unit (figs. 2 & 6).

Art Unit: 2622

12. With respect to claim 4, Inui discloses the data processing apparatus according, wherein said display unit is adapted to display first display information to be displayed in place for the operation image frame for input by said instruction input unit, based on the message data and stored in said storage unit, and second display information to be displayed in the operation image frame (col. 7, lines 39-53 & figs. 9 & 12) wherein Ozaki discloses the data processing apparatus including the display unit for displaying message data received from the external device through said connection unit (figs. 2 & 6).

Claims 5-7 are rejected under 35 U.S.C. 103(a) as being unpatentable over Ozaki as applied to claim 1 or 2 above, and further in view of Martenson U.S. Patent No. 6,219,708.

13. With respect to claim 5, Ozaki discloses the data processing apparatus according to claim 1, but Itakura does not disclose expressly that the control unit receives, by MIB message data for the information to be displayed by said display unit and stored in said storage unit, and executes reception from the external device through said connection unit according to SNMP.

Martenson discloses a data processing apparatus comprising a control unit for receiving, by MIB (col. 10, lines 23-29), message data for the information to be displayed by a display unit and stored in a storage unit, and executes reception from the external device through said connection unit according to SNMP (col. 10, lines 1-4, 23-29). Also, read col. 2, lines 27-40.

Art Unit: 2622

Ozaki & Martenson are combinable because they are from same field of endeavor that is the network communication.

At the time of the invention, it would have been obvious to a person of ordinary skill in the art to incorporate the SNMP communication method of Martenson into the data processing apparatus of Ozaki.

The suggestion/motivation for doing so would have been to receive/transmit the message data using SNMP in the network and thus providing more flexibility to the network user.

Therefore, it would have been obvious to combine Ozaki with Martenson to obtain the invention as specified in claim 5.

14. With respect to claim 6, Examiner takes an Official Notice that receiving a message, as an electronic mail data is well known in the network multifunctional printer/copier art. Furthermore, Martenson teaches the method of sending messages as electronic mails to be displayed on the network device (col. 16, lines 44-63). Therefore, it would have been obvious to combine Ozaki with Martenson to obtain the invention as specified in claim 6.

15. With respect to claim 7, Martenson discloses a data processing apparatus, wherein said control unit receives message data of the information to be displayed by said display unit and stored in said storage unit, according to SMTP/POP (col. 5, lines 55-62).

Claims 8 and 9 are rejected under 35 U.S.C. 103(a) as being unpatentable over Ozaki as applied to claim 1 or 2 above, and further in view of Henderson et al. U.S. Patent No. 6,185,603 (hereinafter Henderson).

16. With respect to claim 8, Ozaki discloses the data processing apparatus according to claim 1.

Ozaki, however, does not disclose expressly that the display unit is capable of displaying information of plural display colors, and said control unit is adapted to vary the display color according to the priority contained in the message data received from the external device through said connection unit and stored in said storage unit.

Henderson, the same field of endeavor of the message displaying art, discloses a data processing apparatus comprising display unit for displaying information of plural display colors, and a control unit is adapted to vary the display color according to the priority contained in the message data received from an external device through said connection unit and stored in a storage unit (col. 7, line 64 – col. 8, line 4).

At the time of the invention, it would have been obvious to a person of ordinary skill in the art to combine the color display of Henderson with the data processing apparatus of Ozaki.

The suggestion/motivation for doing so would have been to distinguish each messages using different color.

Therefore, it would have been obvious to combine Ozaki with Henderson to obtain the invention as specified in claim 8.

Art Unit: 2622

17. With respect to claim 9, Henderson, the same field of endeavor of the message displaying art, discloses a data processing apparatus comprising an accumulation unit for storing plural files, wherein said control unit is adapted to cause said display unit to display information indicating the file accumulated in said accumulation unit, and display unit for displaying information with different display color according to the attribute of the file (col. 8, lines 15-18).

At the time of the invention, it would have been obvious to a person of ordinary skill in the art to combine the color display of Henderson with the data processing apparatus of Ozaki.

The suggestion/motivation for doing so would have been to distinguish each messages using different color.

Therefore, it would have been obvious to combine Ozaki with Henderson to obtain the invention as specified in claim 9.

Conclusion

18. Applicant's amendment necessitated the new ground(s) of rejection presented in this Office action. Accordingly, **THIS ACTION IS MADE FINAL**. See MPEP § 706.07(a). Applicant is reminded of the extension of time policy as set forth in 37 CFR 1.136(a).

A shortened statutory period for reply to this final action is set to expire **THREE MONTHS** from the mailing date of this action. In the event a first reply is filed within **TWO MONTHS** of the mailing date of this final action and the advisory action is not

Art Unit: 2622

mailed until after the end of the THREE-MONTH shortened statutory period, then the shortened statutory period will expire on the date the advisory action is mailed, and any extension fee pursuant to 37 CFR 1.136(a) will be calculated from the mailing date of the advisory action. In no event, however, will the statutory period for reply expire later than SIX MONTHS from the date of this final action.

19. Any inquiry concerning this communication or earlier communications from the examiner should be directed to CHAN S. PARK whose telephone number is (571) 272-7409. The examiner can normally be reached on M-F 8am-4:30pm.

If attempts to reach the examiner by telephone are unsuccessful, the examiner's supervisor, Edward Coles can be reached on (571) 272-7402. The fax phone number for the organization where this application or proceeding is assigned is 571-273-8300.

Information regarding the status of an application may be obtained from the Patent Application Information Retrieval (PAIR) system. Status information for published applications may be obtained from either Private PAIR or Public PAIR. Status information for unpublished applications is available through Private PAIR only. For more information about the PAIR system, see <http://pair-direct.uspto.gov>. Should you have questions on access to the Private PAIR system, contact the Electronic Business Center (EBC) at 866-217-9197 (toll-free).

csp
January 5, 2006

Chan S. Park
Examiner
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